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ORIGINAL: ENGLISH

# LETTER DATED 27 MARCH 1998 FROM THE PERMANENT REPRESENTATIVE OF ETHIOPIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to the text of the communiqué of the sixth Summit of the Heads of State and Government of the Intergovernmental Authority on Development (IGAD), contained in the letter dated 17 March 1998 from the Permanent Representative of Kenya (S/1998/247), I have the honour to transmit to you the text of the declaration of the seventeenth session of the Council of Ministers of IGAD, held in Djibouti on 15 March 1998 (see annex).

I should be grateful if you could have the present letter and its annex circulated as a document of the Security Council.

(Signed) Duri MOHAMMED
Ambassador
Permanent Representative

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Best copy available

Annex

# DECLARATION OF THE 17TH SESSION OF THE COUNCIL OF MINISTERS OF IGAD ON THE CONFLICT SITUATIONS IN THE SUB-REGION (DJIBOUTI, 15 MARCH 1998)

## SOMALIA

The Foreign Minister of Ethiopia, H.E. Ato Seyoum Mesfin, briefed Council on the recent developments pertaining to the peace process in Somalia. Ethiopia as a mandated Country by the region and the OAU to seek a peaceful solution to the problem in Somalia appealed to IGAD Member States to work with greater resolve and determination to ensure that the IGAD peace initiative on Somalia, which is now in disarray, does not get derailed by proliferation of parallel initiatives.

The Ethiopian Foreign Minister underlined that in order to ensure the success in a new attempt to attain peace, lessons have to be drawn from the recent experience.

The proliferation of initiatives coupled with the lack of the necessary resolve on the part of the faction leaders is considered as the root cause of the challenges faced by the IGAD initiative for peace in Somalia. Lack of support by the International community for the peace process was also indicated as one of the problems faced.

The Council was briefed in detail on the status of the peace process in Somalia and agreed on the following:

1. The key element for progress in the peace process in Somalia is for the IGAD countries to continue their effort with greater resolve and determination. The decision by the 3rd Session of the NSC on amendments to the Cairo Declaration provides the basis for salvaging the peace process on Somalia.

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2. The Council has decided to broaden the peace process through greater participation by the Somali Civil Society for which the support of the international community would be critical

3. The international community is called upon to contribute politically, diplomatically and financially to the peace effort in general and specifically by directly assisting in the rehabilitation of those regions or areas of Somalia where faction leaders and their constituencies demonstrate practical commitment to peace, stability and national reconciliation.

In this regard, the United Nations and the Secretary-General are urged to take action as speedily as possible in setting up the Trust Fund in support of the peace process in Somalia ... an idea which had earlier been raised but on which practical action has not yet been taken. Accordingly, it was deemed necessary for the Current Chairman of IGAD to write to the Secretary-General of the United Nations and to the President of the Security Council urging both to assist in the realisation of this objective and asking for their practical support to stimulate and strengthen the renewed IGAD initiative.

The Council, in this connection requested the Current Chairman of IGAD H.E. President Daniel Arap Moi, to communicate with the EU Presidency and the Commission as well as the Presidency of the IGAD Partners Forum with a view to soliciting the active support of the European Union for the peace process in Somalia, more specifically by making it possible that funds allocated to Somalia from the Lomé Convention are released for use in the rehabilitation of those areas of Somalia in a way which is well calibrated to reinforce the peace process and to encourage the creation and the strengthening of constituencies for peace in that country.

4. The Council also agreed to look into the possibilities of creating a mechanism for consultation with all those who are prepared to contribute to the peace process in Somalia on the basis of the IGAD initiative and on condition that they refrain from engaging in

parallel initiatives and limit themselves to supporting IGAD's effort. Since the criteria for membership in the IGAD Partners' Forum is in the process of being drawn up, it might be possible in the meantime to look into the possibilities of including those who wish to contribute for peace in Somalia, and for that matter in other similar specific activities carried out by IGAD, in sub-committees established by the Joint IGAD Partners Forum. In this specific instance, it might be possible for those who are keen on contributing for peace in Somalia, to be part of IPF sub-committee on Somalia, as long as they are prepared to work through the IGAD peace initiative. This would allow all those who wish to contribute for the peace process to have their views heard without the need to embark on their own initiative which experience has shown is bound to do more harm than good.

5. The Council expressed its desire to call an international conference, under the auspices of IGAD, for maximising the support of the international community for the peace process. Such conference at which, apart from Somali faction leaders, Somali Civic groups, such as clan elders, representatives of women and youth group, Somali intellectuals, religious leaders and the Somali business community would participate could be made to come out with an Action Plan on ways and means of reinforcing the peace process and containing specific and implementable proposals for maximising the effective support of the international community for national reconciliation in Somalia.

## SUDAN

The Sudanese delegation expressed its profound appreciation for the on going peace talks on the conflict in southern Sudan brokered by IGAD. The Council was also informed of the importance of transparency, impartiality and unity of purpose within IGAD as the basis for the success of the peace process. The delegation cautioned against the impact of negative external influences detrimental to the peace process in Southern Sudan.

The Council notes with appreciation the understanding and patience of the Government of Sudan and the SPLM/A in the search for a lasting solution to the conflict in Southern Sudan.

The Council encourages the parties to the conflict to work together towards a cease-fire so as to provide conducive environment for the next round of talks scheduled for April 1998 in Nairobi-Kenya.

The Council further reiterates its support for the Declaration of Principles (DOP) as the only basis for negotiations aimed at resolving the conflict as endorsed by both the Government of Sudan and the SPLM/A and reinforced by the shuttle diplomacy efforts of the Member States.

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# LETTER DATED 27 MARCH 1998 FROM THE PERMANENT REPRESENTATIVE OF UGANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

At the request of my Government, I have the honour to transmit herewith the text of the statement on the situation in Burundi, made by Mr. Eriya Kategaya, First Deputy Prime Minister and Minister of Foreign Affairs of the Republic of Uganda, to the Council of Ministers of the Organization of African Unity at its sixty-seventh ordinary session (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Semakula KIWANUKA
Ambassador
Permanent Representative

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Annex

Statement on the situation in Burundi, made by the First Deputy Prime Minister and Minister of Foreign Affairs of Uganda to the Council of Ministers of the Organization of African Unity at its sixty-seventh ordinary session

Council will recall that in the aftermath of the July 1996 Coup in Burundi which brought Major Pierre Buyoya to power, the countries of the Great Lakes Region met at a Regional Summit in Arusha, in an effort to prevent the conflict in Burundi from escalating. The underlying objective of the Regional Leaders was and remains to persuade the leaders of Burundi to reach an agreement that can guarantee security and democracy for all people in Burundi. A peaceful resolution of the conflict would contribute towards regional peace and security and create an enabling environment for social and economic development.

Various activities have been undertaken under what has come to be known as the Arusha Peace Process, Six Regional Summits have taken place, the last one having been held in Kampala, just last Saturday (21 February 1998). The following countries have been involved in the Arusha Peace Process: the Democratic Republic of Congo, Ethiopia, Kenya, Rwanda, Tanzania, Uganda and Zambia. The current Chairman of OAU and the OAU Secretary General participate in these meetings.

Since Uganda is now Chairman of this Regional Initiative, I thought I should take this opportunity to brief the OAU Council of Ministers on the outcome of the Kampala Summit and give a background to the regional peace efforts.

**WHY SANCTIONS?**

At the first Regional Summit on Burundi which was held on 31 July 1996, Regional Leaders decided to impose sanctions on Burundi in order to bring pressure to bear on Major Buyoya to agree to come to the negotiating table with all other Burundi groups in order to return the country to legitimacy and constitutional order.

The Summit asked the Government of Burundi to:

i) unban all political parties
ii) restore parliament
iii) commence negotiations with other parties to the conflict, both within and outside Burundi

The leaders asked Mwalimu Julius Nyerere to act as facilitator in this process. Mwalimu Julius Nyerere initiated a series of consultations both within and outside Burundi with a view to setting the Peace Process in motion in Arusha. He met with the OAU Secretary General and together with the Special Envoys on Burundi examined the modalities of organizing the first negotiations session among the Barundi.

At the Third Regional Summit which was held on 12 October, 1996, Regional Leaders met to review the internal situation in Burundi and assess the impact of the sanctions. Although Major Buyoya had unbanned all political parties and restored parliament, the regime had not made any satisfactory efforts to hold negotiations with other Barundi parties to the conflict. The Third Summit, thus decided to:

i) maintain sanctions
ii) relaunch the peace process within from the date of the Summit.

The Fourth Regional Summit to which Major Buyoya was invited, was held on 16 April 1997. It reached the following decisions:

**SANCTIONS EASED**

i) that all Barundi create a conducive environment for negotiations and national reconciliation;
ii) that the Burundi Government disband regroupment camps and allow its nationals to go about their activities freely;
iii) eased sanctions to allow for the flow of food, medicines, agricultural inputs, scholastic and building materials into Burundi.
iv) the Summit also declared its readiness to suspend sanctions if negotiations between the protagonists were initiated under the Facilitator.

**BOYCOTTED**

After consulting the government of Burundi and other parties to the conflict, Mwalimu Julius Nyerere convened the Burundi All Party Negotiations in Arusha, Tanzania to commence on 25 August 1997. All the major protagonists gathered in Arusha with the exception of the Government of Burundi which called for a postponement at the last minute. Internal leaders such as the Speaker of Parliament and the ex-Presidents Bagaza and Ntibantunganya were denied permission to travel to Arusha for the negotiations.

It must be underlined that in all pre-conference consultations, the Government of Burundi did not give the Facilitator any indication that it would not participate in the Arusha talks. In the absence of delegations from within Burundi, the Facilitator decided that it was pointless to go ahead with the talks. He therefore called them off. Following the failure to convene the all Party Talks, the Facilitator held consultations with the representatives of the Parties that had done to Arusha for the talks. These representatives noted with regret that Major Buyoya's regime had refused to participate in the Talks and had also prevented other parties and personalities resident in Burundi from attending the negotiations. They recommended that the

measures applied against Major Buyoya's regime be reviewed in order to make them more effective.

## LACK OF PROGRESS

Following the failure of the Arusha Talks, Regional Leaders met in Dar es Salaam, at their 5th Summit on Burundi from 3rd to 4th September 1997, to review the peace process and chart a way forward. At the Summit the Regional Leaders expressed their disappointment at the lack of progress in the negotiation process, and in particular the absence of Buyoya's government at the first All Party Talks in Arusha.

The Dar es Salaam Summit made the following decisions:

i) Agreed to maintain sanctions and ensure their implementation;
ii) Created a special secretariat to monitor compliance with sanctions by all countries of the region;
iii) Urged all parties to the conflict to participate in talks to be reconvened by Mwalimu Julius Nyerere;
iv) Expressed confidence in Mwalimu Julius Nyerere as Facilitator and urged him to continue with the task;
v) Agreed that Arusha should remain the venue for the peace talks;
vi) Urged the Burundi Government to halt trials of political opponents and unconditionally release the speaker of Parliament and former Presidents Bagaza and Ntibantunganya;
vii) Mandated President Museveni to convey to Major Buyoya the letter and the spirit of the Summit;
viii) Appealed to the OAU, UN and the International Community at large to actively support the Peace Process in Burundi.

As mandated by the 5th Summit, President Museveni met Major Buyoya in Rwakitura, Uganda on 12th September 1997 and conveyed to him the decisions of the Summit. Major Buyoya agreed to respond to the decisions of the Summit at an appropriate time.

On 16 September 1997 Major Buyoya responded to the decisions of the Summit. Among the points he made were the following:

i) He indicated his commitment to the Peace Process;
ii) He questioned the impartiality of the Facilitator Mwalimu Julius Nyerere and questioned the venue for the negotiations;

iii) He called for the total lifting of sanctions;
iv) He refused to halt ongoing trials of political opponents in Burundi;
v) He refused to release or allow the three personalities Speaker and the two former Presidents to travel abroad;
vi) He indicated his willingness to attend the All Party Talks;
vii) He acknowledged with appreciation the efforts of the Regional Leaders to find a solution to the Burundi conflict.

**WORSEN**

Throughout this period the security and humanitarian situation in Burundi continued to deteriorate. There have been politically motivated killings, detentions and trials. Inter-ethnic clashes between armed insurgents and government troops increased especially around the capital Bujumbura. It is clear that unless all parties come to the negotiating table, the situation is bound to deteriorate even further, and may spill over into other countries in the region.

**6TH REGIONAL SUMMIT ON BURUNDI - FEBRUARY 21, 1998**

In order to explore ways and means of re-starting the Peace Process, the Regional Leaders gathered in Kampala on February 21, 1998, at the invitation of H.E. President Yoweri K. Museveni of the Republic of Uganda. The Sixth Regional Summit on Burundi was attended by H.E. president Daniel arap Moi of the Republic of Kenya; H.E. President Frederick Chiluba of the Republic of Zambia; H.E. President Benjamin Mkapa of the United Republic of Tanzania; H.E. Prime Minister Meles Zenawi of the federal Democratic Republic of Ethiopia; Hon. Dr. Stanislaus I G Mudenge, Foreign Minister of Zimbabwe, representing H.E. Robert G Mugabe, President of the Republic of Zimbabwe and current Chairman of the OAU; Dr. Anastase Gasana, Minister of Foreign Affairs of Rwanda representing H.E. President Pasteur Bizimungu of the Republic of Rwanda; Hon. Bizima Karaha, Foreign Minister of the democratic Republic of Congo, representing H.E. President Laurent Desire Kabila of the Democratic Republic of Congo.

Also participating were the Facilitator of the Burundi Peace Process, Mwalimu Julius K Nyerere, and the OAU Secretary General, H.E. Dr. Salim Ahmed Salim.

At the invitation of the Regional Leaders, Major Pierre Buyoya briefed the Summit on the political situation in Burundi and on the various steps he has taken in the country since the Fifth Regional Summit.

The Summit reviewed the situation in Burundi and expressed concern that despite all efforts deployed for a negotiated solution to the conflict, no significant progress had been achieved,

and the situation in Burundi continued to deteriorate.

The Summit re-affirmed that there was not alternative to a negotiated settlement to the Crisis in Burundi. It stressed that such negotiations should lead to the attainment of anew dispensation based on the principles of security and democracy for all.

The Summit underscored the importance of the All Party Talks in Arusha in order to facilitate the return to constitutionalism, democracy, peace and security.

In this respect, the summit called on the regime and the parties in Burundi to genuinely respond to the Arusha Peace Process.

On the issue of the sanctions, the Kampala Summit agreed to review them as soon as the conditions stipulated at the Dar es Salaam Summit have been adhered to, and the All Party Talks under the auspices of Mwalimu Julius Nyerere have commenced.

There have been some misunderstandings in some quarters about the nature of the sanctions regime imposed on Burundi. Council should note that the sanctions are not an embargo. What we have is a selective regime of sanctions intended not to punish ordinary Barundi, but to put pressure on Major Buyoya's regime so that it can agree to come to the negotiating table. The sanctions regime now consists only of the following four aspects:

i) an arms embargo;
ii) a ban on importation of fuel except for a certain amount intended for humanitarian activities;
iii) a ban on commercial flights to and from Burundi; and
iv) a ban on exports

This is clearly not an all embracing punitive sanctions regime, but a selective regime with a precise goal of promoting the peace process.

These regional efforts need to be augmented and supported by the OAU and all its Member States in accordance with the decisions taken by the Heads of State at th Harare Summit. It is necessary that all possible pressure is brought to bear upon the regime in Burundi to encourage it to come to the negotiating table in order to avoid further bloodshed. This is the only route to a peaceful and lasting resolution of the Burundi crisis.

As the Cairo Conference on Early Warning, Preventive Diplomacy and African Peace Keeping

pointed out, the OAU has a clear role to play in identifying the causes of conflict, especially ethnic and internal conflict and to help develop mediation techniques and preventive action, particularly at a time when increased democratization in Africa is releasing underlying tensions.

On behalf of the region I call upon Council to note the decisions of the Kampala Summit and give support to them.

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